IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

HON'BLE SRI JUSTICE V.V.S. RAO

W.P. No. 25419 OF 2005

Date: 12.12.2005

BETWEEN:

Mohd. Waliuddin Khan

…. PETITIONER

And

1. The Joint Collector, Ranga Reddy District Collectorate, Lakdikapul, Hyderabad, and others.

…. RESPONDENTS

HONOURABLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No. 25419 OF 2005

ORDER:

The case of the petitioner is as follows. The land admeasuring Acs.150.00 in S.Nos.28 and 62 of Bahadurguda village was allegedly granted to one Hazi Begum, daughter of late Omer Khan before 1950. She had five sons. The petitioner is son of late Mohd. Nayeemudding Khan, who is one of the five sons of Hazi Begum. The petitioner and other legal heirs of Hazi Begum having come to know that the names of third parties were entered in the revenue records, without any notice to the legal heirs, approached the first respondent under Section 166-B of the A.P. (Telangana Area) Land Revenue Act 1317 fasli (for short 'the Act'). He prayed the first respondent to direct the concerned Revenue Divisional Officer/Mandal Revenue Officer to rectify the revenue records/pahanies dealing with the local entries and incorporate the names of the petitioner and his family i.e., legal heirs of Hazi Bedum. As the first respondent did not pass any orders, much less, interlocutory orders as prayed by the petitioner, the petitioner filed the present writ petition seeking *inter alia* a direction to the first respondent to dispose of the application filed by him under Section 166-B of the Act.

The writ petition is opposed by the learned Assistant Government Pleader for Revenue (General).

After getting instructions, the learned Assistant Government Pleader submits that the

lands in S.No.28 admeasuring Acs.150.00 and S.No.62 admeasuring Acs.500.00 are classified as “Kancha Sarkari” and the names of five persons are mentioned in the possessory column. He also submits that Hazi Begum is not pattadar and therefore, the petitioner has no right to seek rectification of the entries. He submits that various revenue records like Khasra Pahani and Sesala Pahani do not support the case of the petitioner.

After hearing the learned counsel for the petitioner and learned Assistant Government Pleader, this Court is convinced that it is not proper to express any opinion on the right of the petitioner to the land in question. The petitioner has already approached the first respondent on 23.11.2005. Therefore, it would be in the interest of justice to direct the first respondent to consider the petitioner’s application under Section 166-B of the Act, and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order, after issuing notice to other third parties whose rights might be adversely affected in the event of the petitioner’s prayer is being accepted by the first respondent.

The Writ Petition, with the above directions, is accordingly disposed of at the admission stage.

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(**V.V.S. RAO, J.)**

12th December, 2005

Note: Dispatch copy within

one week.

(By order) / Js.